



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/147,036	12/15/98	MAURER	P564-8019

HM22/1004
NIKAIDO MARMELESTEIN MURRAY AND GRAM
METROPOLITAN SQUARE
655 FIFTEENTH STREET N W
SUITE 330 G STREET LOBBY
WASHINGTON DC 20005-5701

EXAMINER
MINNIFIELD, N

ART UNIT	PAPER NUMBER
1645	12

DATE MAILED: 10/04/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/147036	12/15/98	MAURER ET AL	P564-8019

b

b

EXAMINER	
MINNIFIELD	
ART UNIT	PAPER NUMBER
1645	12

b

b

DATE MAILED:

Commissioner of Patents

Please find below a communication from the EXAMINER in charge of this application.

The reply filed on 8/15/00 is not fully responsive to the prior Office action because of the following omission(s) or matter(s): Applicant indicated that the Examiner considered the wrong set of claims for the Restriction requirement (claims 1-40 as set forth in PCT application originally filed 7/6/98 used in Restriction requirement). Applicants assert that during PCT prosecution claims 20-40 were repalced with new claims 20-38 and that when PCT application entered national stage on 9/15/98 a copy of new claims on pp45-48 was filed. However, the PTO is unable to enter the copy of the new claims 20-38 submitted on pages 45-48. The original specification was filed with claims 1-40 on pages 38-43. No preliminary amendment was filed that canceled original claims 20-40. Please note that claim 20 continues on 2 pages; the page numbers do not follow. It is noted that Applicants did file preliminary amendment A (12/15/98); however it was not fully entered. The claim numbers did not correspond. In US Practice, claim numbers are only used one time. This notice is being sent to give Applicants the opportunity to put forth the correct set of claims (and in the proper format) they wish to have examined. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to N. M. Minnifield whose telephone number is (703) 305-3394. The examiner can normally be reached on Monday-Thursday from 7:00 AM-4:30 PM. The examiner can also be reached on alternate Fridays. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynette R. F. Smith, can be reached on (703) 308-3909. The fax phone number for TECH CENTER 1600 is (703) 308-4556. Any inquiry of a general nature or relating to the status of this application should be directed to the TECH CENTER 1600 receptionist whose telephone number is (703) 308-0196.

N. M. Minnifield
October 2, 2000
substitute PTOL90

NITA MINNIFIELD
PRIMARY EXAMINER